**3/14/2025**

## Regarding Docket No. 25-133 Marketplace and technological changes.

**The following is submitted for public comment:**
**Dear members of the FCC;**
Marketplace and technological changes have rendered the rule § 95.1733 (a)(3) banning coded language on GMRS radios unnecessary and inappropriate.
§ 95.1733 covers “Prohibited GMRS uses.” and section § 95.1733(a)(3) bans “Coded messages or messages with hidden meanings”.
There is no technical reason to regulate speech such as a ‘coded message’ or ‘messages with hidden meanings’ on GMRS radios;
A) Technological changes have made most forms of communications encrypted, it is reasonable to allow ‘coded message’ communications over GMRS radio as long as they otherwise do not interfere with other users and radios continue to comply with the other regulations in part 95.

B) While the rule as worded does not ban ‘encrypted radio communications’ such as when the FCC banned encrypted radios in 47 CFR they defined the term ‘encrypted’ 47 CFR § 90.553 and refer to it as ***‘encryption’*** not ***“Coded messages”*** or ***“messages with hidden meanings”*** many consider the rule to be a ban on encryption or just find the rule unclear.

GMRS radios mainly transmit human speech over FM, and a ***‘message’*** is typically spoken by a radio operator thru a microphone, therfore a coded message would be a radio operator speaking in code. Since 95.1733(a)(3) does not use term ***‘encryption’*** and newer technology is able to encrypt FM analog voice over a GMRS radio and still comply with the rest of part 95 the rule as worded only bans **‘coded messages’** from being spoken over a GMRS radio. However using newer technology that radio may be **analog FM ‘encrypted’**.
*Since the radio link may be encrypted there is no reason to ban someone for speaking in coded messages.*
If the commission were to take a more broad interpretation of 95.1733(a)(3) that it prohibits all forms of encryption despite the fact the law does not state that, it still is unnecessary to ban encrypted communications that do not interfere with other GMRS radio users.

C) A language other than the English language could be interpreted as ‘coded messages’, yet the section does not refer to a specific spoken language. Deleting this section would clean up the code clearly allow any language to be spoken, coded or not and encrypted or not.

D) Removing this section would make it clear to radio manufacturers and GMRS users they can use encryption provided they comply with the other GMRS rules.

E) Deleting this section would not change other FCC requirements, such as those for call signs.

F) Deleting this section would not change any other rules on GMRS radio modes of operation.

G) Deleting this section would save the government money by reducing the need for enforcement or responding to complaints.

Thank you for your consideration, hopefully I have submitted my proposal in the correct form and format.

Stephen Schmiechen